

SECTION 62. *Establishment of the Surplus Property Disposition Fund.* Notwithstanding the provisions of any general or special law to the contrary the proceeds from the disposition of any surplus property other than that acquired through tax title foreclosure shall be deposited in a separate fund which shall be set up on the books of the city and shall be known as the Surplus Property Disposition Fund, and shall be used only as follows:

- (1) The amount equivalent to the debt incurred, and interest paid or payable thereon, as a result of the acquisition or improvement from time to time of the property shall be used only for purposes for which the city is authorized to incur debt for a period of ten years or more;
- (2) All proceeds in excess of such amount shall be credited to the capital fund of the city unless the city council by a majority vote determines with the approval of the mayor to credit such proceeds to the general fund of the city.

[Acts of 1909, c. 486, s. 3, amended by Acts of 1941, c. 604, s. 1, amended by Acts of 1954, c. 24, amended by Acts of 1982, c. 190, s. 24, and further amended by Acts of 1986, c. 701, s. 4]

SECTION 63. *Authority of the Public Facilities Commission to Dispose of Off-Street Parking Structures.* Notwithstanding the provisions of chapter four hundred and seventy-four of the acts of nineteen hundred and forty-six or any other general or special law to the contrary, the public facilities commission of the city of Boston may dispose of any or all of the off-street parking structures, including the real estate related thereto, owned by the city of Boston, as surplus property in accordance with sections thirty-one B and thirty-one C of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, only when transferred to the commission by a majority vote of the city council. [Acts of 1909, c. 486, s. 3, amended by Acts of 1941, c. 604, s. 1, amended by Acts of 1954, c. 24, amended by Acts of 1982, c. 190, s. 24, and further amended by Acts of 1986, c. 701, s. 4]

MISCELLANEOUS PROVISIONS

SECTION 64. *Loans Issued by the City.* All loans issued by the city after the passage of this act shall be made payable in annual installments in the manner authorized by section thirteen of chapter twenty-seven of the Revised Laws as amended by section one of chapter three hundred and forty-one of the acts of the year nineteen hundred and eight. No sinking fund shall be established for said loan. All bonds shall be offered for sale in such a manner that the effect of the premiums, if any, shall be to reduce the total amount of bonds issued. No city or county money shall be deposited in any bank or trust company of which any member of the board of sinking fund commissioners of said city is an officer, director, or agent. [Acts of 1909, c. 486, s. 26]

SECTION 65. *List of Department Employees.* Every officer and board in charge of a department of the city of Boston or county of Suffolk shall, on or before the sixth day of February in each year, prepare and furnish to the city auditor a list of the officials and employees under said officer or board and paid by the city or county on the first day of such February. Such list shall give the name, residence by street and ward, designation, compensation, and date of election or appointment of each of said officials and employees and the date when each first entered the employ of the city or county. It shall be the duty of the city auditor to verify said lists by the pay rolls and to keep a copy of said lists open for public inspection, and to prepare and publish in the City Record on or before the tenth day of April in each year a comparative table containing the number of such officials and employees holding office or

employed in each such department or board and paid by the city or county on the compilation date in each of the ten years next preceding such publication. The term "compilation date", as herein used, shall be construed to mean ... the first day of February. [Acts of 1909, c. 486, s. 27, amended by Acts of 1938, c. 263, s. 1, and further amended by Acts of 1951, c. 111]

SECTION 66. *Establishment of the Board of Street Commissioners.* The jurisdiction [exercised by the board of alderman prior to the passage of the Acts of 1909, c. 486] concerning the naming of streets, the planting and removal of trees in the public ways, the issue of permits or licenses for coasting, the storage of gasoline, oil, and other inflammable substances or explosive compounds and the use of the public ways for any permanent or temporary obstruction or projection in, under, or over the same, including the location of conduits, poles, and posts for telephone, telegraph, street railway, or illuminating purposes, is hereby vested in the board of street commissioners, to be exercised by said board with the approval in writing of the mayor; and the mayor and city council shall have authority to fix by ordinance the terms by way of cash payment, rent, or otherwise, upon which permits or licenses for the storage of gasoline or oil, or other inflammable substances or explosive compounds, and the construction or use of coal holes, vaults, bay windows, and marquises, in, under, or over the public ways shall be issued. [Acts of 1909, c. 486, s. 28]

SECTION 67. *Publication of City Record.* [T]here shall be published at least once a week and distributed and sold under the direction of the mayor and on terms to be fixed by the city council and approved by the mayor a paper to be known as the "City Record." All advertising with reference to the sale of property for non-payment of taxes shall appear exclusively in the City Record. All other advertising, whether required by law or not, with reference to the purchase or taking of land, contracts for work, materials or supplies, and the sale of bonds, shall appear in said paper, and in such newspaper or newspapers as the mayor, in his discretion, may order; a list of all contracts of one thousand dollars or more, as awarded, with the names of bidders, and the amount of the bids; appointments by the mayor; and changes in the number and compensation of employees in each department, shall be published in the City Record. Failure to publish in such newspaper or newspapers as the mayor may order shall not invalidate any purchase, contract or sale made or action taken by the city. The proceedings of the city council and school committee together with all communications from the mayor shall be published in the City Record; provided, that the substance of debates by and among the members of the city council shall not be so published or published elsewhere at the expense of said city. [Acts of 1909, c. 486, s. 29, amended by Acts of 1934, c. 185, s. 1, and further amended by Acts of 1947, c. 447, s. 1]

SECTION 68. *Certain Contracts to be Made in Quintuplicate.* Every officer or board in charge of a department in said city and every, board or official of the county of Suffolk having power to incur obligations on behalf of said county in cases where said obligations are to be paid for wholly from the treasury of said city, when authorized to erect a new building or to make structural changes in an existing building, shall make contracts therefor, not exceeding five, each contract to be subject to the approval of the mayor; and when about to do any work or make any purchase, the estimated cost of which alone, or in conjunction with other similar work or purchase which might properly be included in the same contract, amounts to or exceeds ten thousand dollars, shall, unless the mayor gives written authority to do otherwise, invite proposals therefor by advertisements in the City Record. Such advertisement shall state the time and place for opening the proposals in answer to said advertisement, and shall reserve the right to the officer or board to reject any or all proposals. No authority to dispense with advertising shall be given by the mayor unless the said officer or board furnishes him with a signed

statement which shall be published in the City Record giving in detail the reasons for not inviting bids by advertisement. [Acts of 1909, c. 486, s. 30, amended by Acts of 1955, c. 60, s. 2, and further amended by Acts of 1992, c. 373, s. 2]

SECTION 69. *Contracts to be Accompanied by Sureties.* All contracts made by any department of the city of Boston or by any officer, board or official of the county of Suffolk having power to incur obligations on behalf of said county in cases where said obligations are to be paid for wholly from the treasury of said city, shall, when the amount involved is \$10,000 or more, or when the contract comes within section [sixty-eight], be in writing; and no such contract shall be deemed to have been made or executed until the approval of the mayor of said city has been affixed thereto in writing and the auditor of said city has certified thereon that an appropriation is available therefor or has cited thereon the statute under authority of which the contract is being executed without an appropriation. All such contracts shall be accompanied by a suitable bond or deposit of money or other security for the faithful performance of such contracts, and such bonds or other security shall be deposited with the city auditor until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his or their bond, and the officer, board or official making the contract, with the approval of the mayor affixed thereto. [Acts of 1890, c. 418, s. 6, amended by Acts of 1939, c. 156, s. 2, and further amended by Acts of 1998, c. 262, s. 1]

THE SCHOOL COMMITTEE AND SUPERINTENDENT

SECTION 70. *Establishing a School Committee.* Subject only to the provisions of [chapter one hundred and eight of the acts of the year nineteen hundred ninety-one] the school committee of the city of Boston shall consist of seven appointed members. The mayor of Boston shall have the power to appoint the seven members of the school committee subject to the provisions governing the nominating panel as set forth in [chapter one hundred and eight of the acts of the year nineteen hundred ninety-one]. The members of the school committee shall at all times during their terms of office be Boston residents. The mayor shall strive to appoint individuals who reflect the ethnic, racial and socioeconomic diversity of the city of Boston and its public school population. [Acts of 1991, c. 108, s. 2]

SECTION 71. *Terms of Office for School Committeemembers.* The term of office of the members of the school committee shall be four years and shall commence on the first day of the municipal year The office of each member shall expire upon the expiration of the term of said member and shall become vacant. Any member whose term of office shall expire may be considered for reappointment, but only if renominated by the nominating panel. A president of the school committee shall be elected annually by its members at the first meeting in each municipal year. [Acts of 1991, c. 108, s. 4]

SECTION 72. *Establishing a Superintendent.* The school committee of the city of Boston shall, by majority vote of the whole number of its members, elect and contract with a superintendent of schools for any period of time not to exceed six years. The school committee exclusively shall fix the compensation of such superintendent, which sum shall be in full for all services rendered to said city. The school committee may remove the superintendent for just cause by a vote of three-fifths of the whole number of its members after proper notice and public hearing. The superintendent shall upon taking employment become, and during such employment remain, a resident of said city as the term